



# County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration  
500 West Temple Street, Room 713, Los Angeles, California 90012  
(213) 974-1101  
<http://ceo.lacounty.gov>

WILLIAM T FUJIOKA  
Chief Executive Officer

October 11, 2011

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**DEPARTMENT OF PUBLIC WORKS:  
COPPER HILL PARK IMPROVEMENT PROJECT  
AWARD CONSTRUCTION CONTRACT  
SPECS. 6816; CAPITAL PROJECT NO. 69537  
(FIFTH DISTRICT) (3 VOTES)**

**SUBJECT**

The recommended actions will award a construction contract to C.S. Legacy Construction, Inc., for the Copper Hill Park Improvement Project.

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Find the bid of Avi-Con Inc., dba CA Construction, the apparent low bidder for the Copper Hill Park Improvement Project, to be nonresponsive for failure to complete one of the required bid forms.
2. Find that C.S. Legacy Construction, Inc., is the apparent Lowest Responsive and Responsible Bidder; and award a construction contract to C.S. Legacy Construction, Inc., in the amount of \$793,555 for the Copper Hill Park Improvement Project, subject to the satisfactory and timely completion by the contractor of a baseline construction schedule for the Project and receipt by the Department of Public Works of acceptable and approved Faithful Performance and Payment for Labor and Materials Bonds and insurance certificates filed by the contractor.
3. Approve the revised total Project budget of \$1,805,066, which is a result of a lower than anticipated construction bid.

*"To Enrich Lives Through Effective And Caring Service"*

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Intra-County Correspondence Sent Electronically Only**

**ADOPTED**

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

38      October 11, 2011

*Sachi A. Hamai*  
SACHI A. HAMAI  
EXECUTIVE OFFICER

Board of Supervisors  
GLORIA MOLINA  
First District

MARK RIDLEY-THOMAS  
Second District

ZEV YAROSLAVSKY  
Third District

DON KNABE  
Fourth District

MICHAEL D. ANTONOVICH  
Fifth District

4. Delegate to the Director of Public Works the authority to determine, in accordance with the applicable contract and bid documents, whether the contractor has satisfied the conditions for contract award; and subject to that determination, authorize the Director of Public Works to execute the construction contract, in the form previously approved by County Counsel, with C.S. Legacy Construction, Inc., and to establish the effective contract date.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Approval of the recommended actions will award a construction contract to C.S. Legacy Construction, Inc. (C.S. Legacy), for the Copper Hill Park Improvement Project (Project).

#### **Project Description and Background**

The Project includes the initial development of a new 4-acre park that will provide passive recreational opportunities for residents in the unincorporated area of Santa Clarita. The park will be located at 21380 Copper Hill Drive, Santa Clarita, California 91350. The initial development will include site grading, a new 16-space parking lot, low impact development drainage improvements, a stairway, security lighting, walkways, landscaping and new roadway signage, striping, and a retaining wall along Copper Hill Drive. In addition, the Project includes one additive alternate, a precast concrete entry monument sign.

#### **Construction Contract Award**

On July 12, 2011, your Board adopted plans and specifications, approved an estimated construction cost of \$916,000, authorized the Executive Officer of the Board to advertise for construction bids, and authorized the Director of Public Works to execute a consultant services agreement with the apparent Lowest Responsive and Responsible Bidder to prepare a baseline construction schedule for a not-to-exceed fee of \$2,000 and award a construction contract within the approved total Project budget of \$1,858,000.

On August 9, 2011, 24 bids were received. Elite Landscaping, with a "total evaluated bid price" of \$40,793, was determined to be the apparent low bidder, and Avi-Con Inc., dba CA Construction (CA Construction), with a "total evaluated bid price" of \$783,000, was the second low bidder. However, Elite Landscaping requested relief from its bid citing clerical error in preparation of its bid pursuant to Public Contract Code Sections 5101 and 5103, and the Department of Public Works (Public Works) approved that request. In addition, Public Works determined CA Construction's bid was not responsive to the requirements of the invitation for bids for failure to confirm receipt of

Notice to Bidders A in its bid. Therefore, C.S. Legacy, with a "total evaluated bid price" of \$795,555, including \$775,965 for the lump sum base bid, \$19,590 for Additive Alternate 1, and a bid extended daily overhead rate of \$0 per day is the apparent Lowest Responsive and Responsible Bidder (as defined in the Facts and Provisions/Legal Requirements Section of this letter). C.S. Legacy's bid is within the construction cost estimate previously approved by your Board and is considered reasonable for the Project scope of work. Therefore, we are recommending that your Board award the construction contract to C.S. Legacy in the amount of \$793,555, inclusive of Additive Alternate 1, which amount was established by deducting the \$2,000 for preparation of the baseline construction schedule from C.S. Legacy's "aggregate bid" of \$795,555 (lump sum base bid, plus Additive Alternate 1). The award is subject to the satisfactory and timely completion by the contractor of a baseline construction schedule, and receipt by Public Works of acceptable and approved Faithful Performance and Labor and Materials Bonds and insurance certificates filed by the contractor.

The recommended construction bid is \$120,445 less than the construction contract budget previously approved by your Board on July 12, 2011. It is recommended that \$67,511 of the \$120,445 be allocated to the change order budget to allow for a 20 percent change order contingency. The remaining \$52,934 will be removed from the Project budget resulting in a revised total Project budget of \$1,805,066.

It is anticipated that construction of the proposed Project will begin in November 2011 and be completed by July 2012.

#### **Green Building/Sustainable Design Program**

The Project will support your Board's Sustainable Design Program by incorporating low impact development features, such as permeable pavement in the parking lot to capture, filter, and percolate stormwater runoff on-site.

#### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1); Children, Family, and Adult Well-Being (Goal 2); and Community and Municipal Services (Goal 3), by investing in public infrastructure that will enhance recreational opportunities for County residents.

### **FISCAL IMPACT/FINANCING**

The recommended construction contract with C.S. Legacy is for \$793,555. The revised total Project cost, including programming, plans and specifications, plan check, construction, increased change order contingency, consultant services, miscellaneous expenditures, and County services, is currently estimated at \$1,805,066. The Project Schedule and Budget Summary are detailed in Attachment A.

Sufficient appropriation is available in the Fiscal Year (FY) 2011-12 Capital Projects/Refurbishment Budget for the Copper Hill Park Improvement Project, Capital Project No. 69537, to fully fund the Project. The Project is funded by \$900,000 of Park-In-Lieu-Fees (Quimby) Special Funds, \$500,000 of Utility User's Tax Funds, and \$405,066 of Fifth District net County cost derived from Proposition 62.

### **Operating Budget Impact**

Following completion of the Project, the Department of Parks and Recreation will maintain the park improvements with New Facilities funding received in FY 2011-12.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

Pursuant to your Board's Civic Art Policy adopted on December 7, 2004, as amended, the Project budget includes 1 percent of design and construction costs to be allocated to the Civic Art Fund.

Applicable law, including the State Public Contract Code, requires the County to award construction contracts to the Lowest Responsive and Responsible Bidder, which refers to the firm that: 1) submits the lowest bid price; 2) is deemed by the County to be "responsive" to specific criteria under the solicitation, including, but not limited to, licensure, bonding, and insurance requirements; and 3) is determined by the County to be a "responsible" bidder by exhibiting the quality, fitness, capacity, experience, and trustworthiness to satisfactorily perform the work required under the bid solicitation. As specified in the bid documents, the "total evaluated bid price" was determined by adding the lump sum base bid, the additive alternate, the extended overhead daily rate multiplied by 30 calendar days, and the Local Small Business Enterprise preference (a credit of 5 percent of the lowest bid price up to a maximum of \$50,000) if applicable.

A standard construction contract, in a form previously approved by County Counsel, will be used. The contract will contain terms and conditions supporting your Board's ordinances, policies, and programs, including, but not limited to, County's Greater Avenues for Independence and General Relief Opportunities for Work Programs (GAIN/GROW); Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; and the Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; and the standard Board-directed clauses that provide for contract termination or renegotiation.

To ensure that the contract is awarded to the Lowest Responsive and Responsible Bidder with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the contractor's State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by the contractor was considered in making the recommendation to award.

### **ENVIRONMENTAL DOCUMENTATION**

On July 12, 2011, your Board adopted a Mitigated Negative Declaration (MND) for the Project in accordance with the California Environmental Quality Act. The recommended actions are within the scope of the previously adopted MND.

### **CONTRACTING PROCESS**

As stated above, on August 9, 2011, 24 bids were received (the bid results are summarized in Attachment B). Elite Landscaping, with a "total evaluated bid price" of \$40,793, was the apparent low bidder, and CA Construction, with a "total evaluated bid price" of \$783,000, was the second apparent low bidder. However, Elite Landscaping requested relief from its bid citing clerical error in preparation of its bid pursuant to Public Contract Code Sections 5101 and 5103, which Public Works approved. In addition, Public Works determined CA Construction's bid was not responsive to the requirements of the invitation for bids for failure to confirm receipt of Notice to Bidders A in its bid. Therefore, C.S. Legacy, with a "total evaluated bid price" of \$795,555

The Honorable Board of Supervisors  
October 11, 2011  
Page 6

(inclusive of \$2,000 for development of a baseline construction schedule), is the apparent Lowest Responsive and Responsible Bidder.

On August 10, 2011, Public Works advised CA Construction in writing of the nonresponsive determination, and further advised that we intended to recommend to your Board that C.S. Legacy be awarded the construction contract for this Project.

As requested by your Board on February 3, 1998, this contract opportunity was listed on the Doing Business with Us website as shown in Attachment C.

**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

Approval of the recommended actions will have no impact on current County services or projects.

**CONCLUSION**

Please return one adopted copy of this Board letter to the Chief Executive Office, Capital Projects Division; the Department of Parks and Recreation; and the Department of Public Works, Project Management Division I.

Respectfully submitted,



WILLIAM T FUJIOKA  
Chief Executive Officer

WTF:RLR:DJT  
SW:VM:zu

Attachments

c: Executive Office, Board of Supervisors  
County Counsel  
Arts Commission  
Internal Services  
Parks and Recreation  
Public Works

**ATTACHMENT A**

**DEPARTMENT OF PUBLIC WORKS:  
COPPER HILL PARK IMPROVEMENT PROJECT  
AWARD CONSTRUCTION CONTRACT  
SPECS. 6816; CAPITAL PROJECT NO. 69537**

**I. PROJECT SCHEDULE**

<b>Project Activity</b>	<b>Scheduled Completion Date</b>	<b>Revised Completion Date</b>
Establish Capital Project	06/16/09*	
Construction Documents	03/31/11*	
Jurisdictional Approvals	05/19/11*	
Award Construction Contract	09/15/11	10/11/11
Construction Start	10/03/11	11/28/11
Substantial Completion	05/31/12	07/20/12
Final Acceptance	07/31/12	09/20/12

\* Actual completion date.

## II. PROJECT BUDGET SUMMARY

Budget Category	Board-Approved Project Budget	Impact of this Action	Revised Project Budget
Land Acquisition	\$ 0	\$ 0	\$ 0
Construction			
Low Bid Construction Contract	\$ 916,000	\$ (120,445)	\$ 795,555*
Job Order Contract	0	0	0
Change Orders	91,600	67,511	159,111
Departmental Crafts	0	0	0
Youth Employment	0	0	0
Construction Consultants	0	0	0
Misc. Expense: State Water Resources Board	1,735	0	1,735
Telecommunication Equip-Affixed to Building	0	0	0
Civic Art	10,076	0	10,076
Other: Utility connections	162,054	0	162,054
	0	0	0
Subtotal	\$ 1,181,465	\$ (52,934)	\$ 1,128,531
Programming/Development	\$ 47,500	\$ 0	\$ 47,500
Plans and Specifications	\$ 150,000	\$ 0	\$ 150,000
Plan Check and Jurisdictional Review	\$ 29,169	\$ 0	\$ 29,169
Consultant Services			
Site Planning	\$ 0	\$ 0	\$ 0
Hazardous Materials	0	0	0
Geotechnical/Soils and Soils Testing	15,750	0	15,750
Materials Testing and Deputy Inspection	15,750	0	15,750
Cost Estimating	0	0	0
Topographic Surveys	0	0	0
Construction Management	0	0	0
Construction Administration	0	0	0
Environmental	64,115	0	64,115
Move Management	0	0	0
Equipment Planning	0	0	0
Legal	0	0	0
Subtotal	\$ 95,615	\$ 0	\$ 95,615
Miscellaneous Expenditures	\$ 5,250	\$ 0	\$ 5,250
County Services			
Code Compliance and Quality Control Inspection	\$ 85,000	\$ 0	\$ 85,000
Design Review	0	0	0
Design Services	0	0	0
Contract Administration	36,247	0	36,247
Project Management	186,953	0	186,953
Project Management Support Services	0	0	0
DPW Job Order Contract Management	0	0	0
Project Technical Support	19,357	0	19,357
Project Security	0	0	0
Office of Affirmative Action	6,750	0	6,750
County Counsel	0	0	0
Other: Consultant Contract Recovery	14,694	0	14,694
Subtotal	\$ 349,001	\$ 0	\$ 349,001
<b>Total Project Budget</b>	<b>\$ 1,858,000</b>	<b>\$ (52,934)</b>	<b>\$ 1,805,066</b>

\* Includes Additive Alternate 1 (\$19,590) and consultant agreement for baseline construction schedule (\$2,000).



October 11, 2011

**ATTACHMENT B**

**DEPARTMENT OF PUBLIC WORKS:  
COPPER HILL PARK IMPROVEMENT PROJECT  
AWARD CONSTRUCTION CONTRACT  
SPECS. 6816; CAPITAL PROJECT NO. 69537**

**BID SUMMARY**

**Project Description:**

The Project includes the initial development of a new 4-acre park that will provide passive recreational opportunities for residents in the unincorporated area of Santa Clarita. The park will be located at 21380 Copper Hill Drive, Santa Clarita, California 91350. The initial development will include site grading, a new 16-space parking lot, low impact development drainage improvements, a stairway, security lighting, walkways, landscaping and new roadway signage, striping, and a retaining wall along Copper Hill Drive. In addition, the Project includes one additive alternate, a precast concrete entry monument sign.

**Financial Information:**

Public Works' fair construction cost estimate was \$916,000, including \$901,000 for the base bid and \$15,000 for Additive Alternate 1.

**Bid Opening Date:** August 9, 2011

**Bid Summary:**

<b>Bidder</b>	<b><u>Lump Sum Base Bid</u></b>	<b><u>Additive Alternate 1</u></b>	<b><u>Aggregate Bid</u></b>	<b><u>Daily Overhead Rate</u></b>	<b><u>Total Evaluated Bid Price<sup>(1)</sup></u></b>
Elite Landscaping	\$ 22,906.00	\$ 17,857.00	\$ 40,763.00	\$ 1.00	\$ 40,793.00 <sup>(2)</sup>
Avi-Con Inc. dba CA Construction	\$ 770,000.00	\$ 13,000.00	\$ 783,000.00	\$ 0.00	\$ 783,000.00
C.S. Legacy Construction, Inc.	\$ 775,965.00	\$ 19,590.00	\$ 795,555.00	\$ 0.00	\$ 795,555.00
Angeles Contractor, Inc.	\$ 796,000.00	\$ 7,000.00	\$ 803,000.00	\$ 0.00	\$ 803,000.00
Pima Corporation	\$ 788,025.00	\$ 12,000.00	\$ 800,025.00	\$ 100.00	\$ 803,025.00
Environmental Construction, Inc.	\$ 798,762.00	\$ 8,097.00	\$ 806,859.00	\$ 300.00	\$ 815,859.00
Nile Advanced Construction, Inc.	\$ 867,900.00	\$ 3,400.00	\$ 871,300.00	\$ 300.00	\$ 880,300.00
Simgel Co., Inc.	\$ 842,000.00	\$ 20,000.00	\$ 862,000.00	\$ 1,000.00	\$ 892,000.00
MTM Construction, Inc.	\$ 895,000.00	\$ 7,000.00	\$ 902,000.00	\$ 0.00	\$ 902,000.00
Kasa Construction	\$ 854,669.00	\$ 25,000.00	\$ 879,669.00	\$ 1,000.00	\$ 909,669.00
R.C. Becker & Son, Inc.	\$ 894,522.22	\$ 14,200.00	\$ 908,722.22	\$ 200.00	\$ 914,722.22
E. Avico, Inc.	\$ 869,260.00	\$ 12,000.00	\$ 881,260.00	\$ 1,200.00	\$ 917,260.00
Encore Services, Inc.	\$ 933,741.80	\$ 25,900.00	\$ 959,641.80	\$ 120.00	\$ 963,241.80
Mesa Engineering	\$ 890,884.00	\$ 17,600.00	\$ 908,484.00	\$ 1,950.00	\$ 966,984.00
Arc-Accucon Construction*	\$ 878,000.00	\$ 15,000.00	\$ 893,000.00	\$ 2,500.00	\$ 965,960.35
Anchor Construction and Engineering, Inc.	\$ 950,505.00	\$ 19,360.00	\$ 969,865.00	\$ 861.00	\$ 995,695.00
SBS Corporation*	\$1,013,295.00	\$ 49,979.00	\$1,023,274.00	\$ 500.00	\$1,036,234.35
Fast-Track Construction Corp.	\$1,025,000.00	\$ 22,000.00	\$1,047,000.00	\$ 0.00	\$1,047,000.00
STL Landscaping, Inc.	\$ 998,000.00	\$ 30,000.00	\$1,028,000.00	\$ 800.00	\$1,052,000.00
Unique Performance Construction, Inc.	\$1,029,000.00	\$ 21,000.00	\$1,050,000.00	\$1,000.00	\$1,080,000.00
Harry H. Joh Construction Corp*	\$1,000,000.00	\$ 28,000.00	\$1,028,000.00	\$2,000.00	\$1,085,960.35
Mallcraft, Inc.	\$1,065,000.00	\$ 12,000.00	\$1,077,000.00	\$1,000.00	\$1,107,000.00
A&R Construction Corporation	\$1,068,000.00	\$ 20,000.00	\$1,088,000.00	\$1,000.00	\$1,118,000.00
Union Engineering Company, Inc.	\$1,171,813.00	\$ 11,340.00	\$1,183,153.00	\$1,100.00	\$1,216,153.00

\* Certified Local Small Business Enterprise

(1) For purposes of bid evaluation only, the Total Evaluated Bid Price was determined by adding the lump sum base bid, Additive Alternate 1, extended overhead daily rate multiplied by 30 calendar days, and 5 percent bid price reduction for certified Local Small Business Enterprise.

(2) Bid Withdrawn

October 11, 2011

**ATTACHMENT C**

**DEPARTMENT OF PUBLIC WORKS:  
COPPER HILL PARK IMPROVEMENT PROJECT  
AWARD CONSTRUCTION CONTRACT  
SPECS. 6816; CAPITAL PROJECT NO. 69537**

**DOING BUSINESS WITH US WEBSITE  
Bid Information**

**Bid Number :** SPEC6816  
**Bid Title :** COPPER HILL PARK IMPROVEMENTS PROJECT  
**Bid Type :** Construction  
**Department :** Public Works  
**Commodity :** CONCRETE SERVICES  
**Open Date :** 7/12/2011  
**Closing Date :** 8/9/2011 10:45 AM  
**Notice of Intent to Award :** View Detail  
**Bid Amount :** \$ 916,000  
**Bid Download :** Available  
**Bid Description :** The initial development of the park will include site grading, a new 16 space parking lot with an emergency vehicle turn-around, low impact development drainage improvements, a concrete stairway, security lighting, concrete and decomposed granite walkways, landscaping and irrigation improvements, and new roadway signage, striping, and a retaining wall along Copper Hill Drive to provide unobstructed visibility and access for vehicles entering and existing the park.  
**Contact Name :** Loydi Nguyen  
**Contact Phone# :** (626) 458-2180  
**Contact Email :** Lnguyen@dpw.lacounty.gov  
**Last Changed On :** 7/13/2011 1:54:37 PM